

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHARON PIZARRO and LARRY ZIELINSKI,
individually and on behalf of all others
similarly situated,

Plaintiffs,

- against -

SAZERAC COMPANY INC.,

Defendant.

No. 7:23-cv-02751-KMK

**JOINT MOTION TO DROP
PLAINTIFF LARRY ZIELINSKI AS A
NAMED PLAINTIFF**

Pursuant to Federal Rule of Civil Procedure 21, and subject to the Court's approval, Plaintiff Sharon Pizarro ("Plaintiff") and Defendant Sazerac Company Inc. ("Defendant") (together, the "Parties") hereby jointly move the Court to drop Larry Zielinski as a named plaintiff and class representative in this matter and to remove his name from the case caption. In support of the motion, the Parties state as follows:

1. Pursuant to Federal Rule of Civil Procedure 21, before trial, "the court may at any time, on just terms, add or drop a party."
2. As the Parties explained in their May 7, 2025, joint status report to Magistrate Judge Krause (Dkt. 54), Plaintiff Larry Zielinski failed to appear for two depositions scheduled to accommodate his schedule, and disconnected from a third scheduled deposition after only 15 minutes.
3. Despite Plaintiffs' counsel's best efforts, Plaintiffs' counsel has been unable to reach Plaintiff Larry Zielinski since he disconnected from the third scheduled deposition.
4. In light of Plaintiff Larry Zielinski's apparent unwillingness to be deposed in this matter, the Parties stipulate and agree that he should be dropped as a named plaintiff and class representative in this matter.

Dated: May 21, 2025

Respectfully submitted,

BURSOR & FISHER, P.A.

By: /s/ Neal J. Deckant

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Dated: May 21, 2025

Respectfully submitted,

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